

TITLE 14. Fish and Game Commission Notice of Proposed Changes in Regulations

NOTICE IS HEREBY GIVEN that the Fish and Game Commission (Commission), pursuant to the authority vested by sections 200, 202, 203, 203.1, 205, 206, 208, 215, 220, 240, 355, 3000, and 3270, of the Fish and Game Code and to implement, interpret or make specific sections 200, 202, 203, 203.1, 215, 220, 355, 356, 3000, 3270, 3500 and 4304 of said Code, proposes to amend Sections 300, Title 14, California Code of Regulations, relating to Fall Season for Wild Turkeys, Falcon Season for Upland Game Birds, Bag Limit for Eurasian Collared-doves.

Informative Digest/Policy Statement Overview

1. Fall season for Hunting Wild Turkeys (Addition of San Diego County)

Current regulations provide for a fall turkey hunting season statewide, except for San Diego County [Subsection 300(a)(1)(G)3.a., Subsection 300(a)(2)(G)3.a., and Subsection 300(a)(3)(G)3.a.]. The Department's annual "Game Take Hunter Survey" indicates wild turkey populations have increased in San Diego County. Harvest of turkeys in San Diego County during the spring season has increased from an estimated number of 460 in 2003 to nearly 1,000 in 2006 (most recent information available). It is reasonable to conclude that the population there will support a fall season. Also, adding San Diego County to the area where turkeys can be hunted in the fall will make this regulation consistent statewide.

2. Falconry Season for Upland Game Birds

Current regulations provide for a falconry season for pheasant, quail, chukar, blue and ruffed grouse, and white-tailed ptarmigan that opens on October 1 [Subsection 300(a)(3)(A - E)(1)]. Falconers have requested that their season be changed to open at the same time as the archery season for quail, chukars, and blue and ruffed grouse (third Saturday in August). This would allow falconers a longer season, and allow them to train their hawks on young prey that the hawks would be more capable of catching. This would make it more likely that the birds would develop into successful hunters. The Department supports this proposal. The Department sells about 600 falconry licenses annually, and only a small portion of these falconers hunt upland game birds, so this regulation change would have no effect on upland game populations.

3. Bag Limit for Eurasian Collared-doves

Eurasian collared-doves have recently become established in California and their numbers are rapidly expanding, particularly in southern California. In 2007, the Commission designated them a resident small game species, and included them in the existing dove season and bag and possession limits [Subsection 300(b)(1)(B)(2)]. The Department is proposing to provide additional hunting opportunity by removing the bag limit on Spotted doves, Eurasian collared-doves and ringed turtle doves. Removing the bag limit, yet allowing hunting of these species of doves only within the existing dove season, would be consistent with the approach taken by some other states (for example Arkansas, Tennessee, and Mississippi). Other states (examples are Arizona, Texas, and Georgia) have taken a more liberal approach, and allow unlimited take all year; while others (examples are Oklahoma and Louisiana) are more conservative, and include Eurasian collared-doves in the dove limit and allow their take only during the existing dove season.

NOTICE IS GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the Department of Education, State Board Room, 1430 N Street, Room 1101, Sacramento, California, on Friday, June 27, 2008 at 8:30 a.m., or as soon thereafter as the matter may be heard.

NOTICE IS ALSO GIVEN that any person interested may present statements, orally or in writing, relevant to this action at a hearing to be held in the City of Carpinteria, City Council Chambers, 5775 Carpinteria Avenue, Carpinteria, California, on Friday, August 8, 2008, at 8:30 a.m., or as soon thereafter as the matter may be heard. It is requested, but not required, that written comments be submitted on or before

August 5, 2008 at the address given below, or by fax at (916) 653-5040, or by e-mail to FGC@fgc.ca.gov. **Written comments mailed, faxed or e-mailed to the Commission office, must be received before 5:00 p.m. on August 5, 2008.** All comments must be received no later than August 8, 2008, at the hearing in Carpinteria, CA. If you would like copies of any modifications to this proposal, please include your name and mailing address.

The regulations as proposed in strikeout-underline format, as well as an initial statement of reasons, including environmental considerations and all information upon which the proposal is based (rulemaking file), are on file and available for public review from the agency representative, John Carlson, Jr., Executive Director, Fish and Game Commission, 1416 Ninth Street, Box 944209, Sacramento, California 94244-2090, phone (916) 653-4899. Please direct requests for the above mentioned documents and inquiries concerning the regulatory process to John Carlson, Jr., or Jon Snellstrom at the preceding address or phone number. **Dr. Eric Loft, Chief Wildlife Branch, Department of Fish and Game, phone (916) 445-3406, and Assistant Chief Rob Allen, Enforcement Branch, Department of Fish and Game, phone (916) 653-4094, have been designated to respond to questions on the substance of the proposed regulations.** Copies of the Initial Statement of Reasons, including the regulatory language, may be obtained from the address above. Notice of the proposed action shall be posted on the Fish and Game Commission website at <http://www.fgc.ca.gov>.

Availability of Modified Text

If the regulations adopted by the Commission differ from but are sufficiently related to the action proposed, they will be available to the public for at least 15 days prior to the date of adoption. Any person interested may obtain a copy of said regulations prior to the date of adoption by contacting the agency representative named herein.

If the regulatory proposal is adopted, the final statement of reasons may be obtained from the address above when it has been received from the agency program staff.

Impact of Regulatory Action

The potential for significant statewide adverse economic impacts that might result from the proposed regulatory action has been assessed, and the following initial determinations relative to the required statutory categories have been made:

- (a) Significant Statewide Adverse Economic Impact Directly Affecting Businesses, Including the Ability of California Businesses to Compete with Businesses in Other States:

The proposed action will not have a significant statewide adverse economic impact directly affecting business, including the ability of California businesses to compete with businesses in other states. The proposed regulation change is sufficiently minor that there would be no significant impact to businesses.
- (b) Impact on the Creation or Elimination of Jobs Within the State, the Creation of New Businesses or the Elimination of Existing Businesses, or the Expansion of Businesses in California:

None.
- (c) Cost Impacts on a Representative Private Person or Business:

The agency is not aware of any cost impacts that a representative private person or business would necessarily incur in reasonable compliance with the proposed action.

- (d) Costs or Savings to State Agencies or Costs/Savings in Federal Funding to the State:
None.
- (e) Nondiscretionary Costs/Savings to Local Agencies:
None.
- (f) Programs Mandated on Local Agencies or School Districts:
None.
- (g) Costs Imposed on Any Local Agency or School District that is Required to be Reimbursed Under Part 7 (commencing with Section 17500) of Division 4:
None.
- (h) Effect on Housing Costs:
None.

Effect on Small Business

It has been determined that the adoption of these regulations may affect small business.

Consideration of Alternatives

The Commission must determine that no reasonable alternative considered by the Commission, or that has otherwise been identified and brought to the attention of the Commission, would be more effective in carrying out the purpose for which the action is proposed or would be as effective and less burdensome to affected private persons than the proposed action.

FISH AND GAME COMMISSION

Dated: May 12, 2008

Jon K. Fischer
Deputy Executive Director